Remarks

Claims 69 - 93 are pending. In the Office Action:

- Claims 69 – 71, 73 – 74, 78 – 80, 83 – 85 and 87 – 88 were rejected under a single 35 U.S.C. § 102 rejection based on Risberg (U.S. Patent No. 5,339,392).
- Claims 72, 86 were rejected under a single 35 U.S.C. § 103 rejection based on Risberg taken with Anderson (U.S. Patent No. 6,363,398);
- Claims 75 – 77, 81 and 89 – 93 were rejected under a single 35 U.S.C. § 103 rejection based on Hu (U.S. Patent No. 5,748,188) taken with Anderson (U.S. Patent No. 6,363,398)

As an initial matter, Applicants traverse the rejection of dependent claims 78 – 80 and 82. For claims 78 – 80, the Examiner has rejected them in light of Risberg under § 102 (page 4 of the Office Action), apparently under the mistaken impression that such claims depend from claim 69. This is plainly in error, as these claims depend from claim 75, and no rejection was made to such latter claim in light of Risberg. Moreover the Applicant can find no actual rejection of claim 82. Applicants are unable to discern the Examiner's intent, and accordingly submit that there is no sustainable rejection claim at this time to such claims.

More fundamentally, Applicant submits that there are some very clear distinctions already in the claims over the references cited. Nonetheless the Applicant has amended some of the independent claims to make such distinctions more apparent. Accordingly, the rejections are traversed at this time, and allowance of the claims is respectfully requested.

Response to Rejection of claims 69 - 74

Independent claim 69 was rejected in light of Risberg under 102(e). As a threshold question, Applicant has significant doubts that the "Transport Protocol" used by Risberg would allow for interaction with "Internet computer servers" as noted in claim 69. The TIB software program, as described therein, appears to be a rudimentary and proprietary communications protocol, which, while emulating conventional browser functionality, is not a true browser. That is, there is nothing in the description which would suggest that the browser program noted in Risberg would allow anyone to interact with an Internet computer.

Nonetheless, to make this distinction more clear, Applicant has amended the claim to specify that the invention uses HTTP (hypertext transfer protocol) so that it can access a WWW (world-wide web accessible) internet computer servers. There is nothing in Risberg which would teach or suggest to one skilled in the art how to implement such features in a generic HTTP based

browser. The latter, as is well-known, is subject to several additional constraints imposed by the fact that it must comply with published Internet standards. Thus, one skilled in the art would be faced with substantial hurdles in making such implementation, and Risberg certainly provides no explanation of how such technological gap could be bridged. Consequently, Applicant submits that the claim as amended amply defines over the prior art.

Dependent claims 70 – 74 should be allowed for at least the same reasons. As concerns claim 72, for example, the Anderson reference (U.S. Patent No. 6,363,398) does not remedy the defects of Risberg, and thus the combination of claim 72 should now be allowable.

Response to Rejection of claims 83 – 88

Independent claim 83 has also been amended to recite that the browser program is "...configured to communicate with world-wide web servers using a hypertext transfer protocol." For the reasons set forth above, this clearly distinguishes over Risberg, and thus this claim should be allowable as well. The same is true for claims 84 – 88 depending from claim 83. Again, as concerns claim 86, see the discussion above for claim 72.

Response to Rejection of claims 75 – 77, 81 and 89 - 93

These claims were rejected under a single 35 U.S.C. § 103 rejection based on Hu (U.S. Patent No. 5,748,188) taken with Anderson (U.S. Patent No. 6,363,398). Hu describes a graphical data storage and retrieval system, wherein the graphical data can include certain business related information. Both the data, as well as predefined analyses on such data, can be retrieved by the user. The analyses are based on certain "metadata" which resides on the server. See below from col. 11, ll. 50+

> **Metadata repository 76 contains a representation of metadata 25 within data warehouse 24. This metadata 25 is the core of system 10; it provides a customizable business view over the relational data in warehouse 24 and is the primary vocabulary for the specification of InfoFrames. Metadata repository 76 gets populated at startup time by DSM subsystem 16 from the persistent metadata representation in data warehouse 24.**

Thus, the metadata is not created by the user, or within the client browser; it is simply provided in response to a request made to DAI subsystem 14.

Beginning first with the invention of independent claim 89, this has been amended to make clear that the user creates any annotations/trendlines which are added directly at the client machine to the data displayed in the window. The annotation data items are not simply pre-computed data

analyses which are retrieved from remotely generated "metadata" as occurs in Hu. Because they are generated locally, there is no need to provide a separate command which must be transmitted, interpreted and responded to by the remote server. Moreover, such annotations can be much more "current" than the metadata provided by Hu, so that the user is not at the mercy of the data provider to create such additional analyses. This provides yet anther advantage which is not discussed or even hinted at by Hu. Finally, there is nothing in Anderson to teach or suggest such type of process, so this reference cannot cure these deficiencies of Hu.

Independent claim 75 has been similarly amended. Hu clearly does not show that the actual annotation data is "...created directly within the browser program..."

For these reasons Applicant submits that the invention of independent claims 75, 89 clearly defines over the type of system shown in Hu, and the type of combination proposed by the Examiner (Hu with Anderson).

Claims 76 – 82 depending from claim 75, and claims 90 – 93 depending from claim 89 should be allowable for at least the same reasons.[1] Claim 90 has been amended to delete a typographical error.

Conclusion

Each of the points raised by the Examiner have been addressed in full above. Where appropriate, the claims have been amended to better clarify the distinctions over the prior art. The claims do not stand or fall together, so the Examiner is requested to take note of the individual arguments set out for patentability for each set of claims.

For the reasons set forth above, applicants earnestly request allowance of the above claims.

A petition and fee for a two month extension of time to respond to the Office Action is enclosed.

Respectfully submitted,

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[1] As noted above, the Examiner appears to have issued a mistaken rejection for claims 78 – 80 and 82; nonetheless, regardless of any prior rejection that might have been intended, these claims should be allowable for the reasons set forth for claim 75.

I hereby certify that the foregoing is being deposited with the U.S. Postal Service, postage prepaid, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313, *this 5th day of August 2004.*